

**From:** Henning, Alan  
**To:** Barber, Anthony  
**Sent:** 8/23/2014 5:54:05 PM  
**Subject:** FW: Index of /notices/ODF/Paper

Tony,

I will be in Portland and would like to talk with you about this if you have time.

Alan

-----Original Message-----

From: Henning, Alan  
Sent: Saturday, August 23, 2014 2:55 PM  
To: Wu, Jennifer  
Cc: Leinenbach, Peter; Woodruff, Leigh  
Subject: FW: Index of /notices/ODF/Paper

Jenny,

The link below takes you to a web site of many (if not all) of the spray notifications that took place in 2006 thru 2014 primarily in Lane County. Lane is just one of the several counties that are part of CZARA. Lane also happens to be where Triangle Lake is located. If you pick a year you will see the notifications for that year for Lane County. If you pick one pdf and look at the notification, the notification form itself (I assume ODF's form) does not call out for protections on type N streams so the operator does not include a description of the protections that will be used for type N streams. I have not seen any notification that includes aerial application that calls out for protections of N streams. This seems to hold true for both backpack treatment and aerial applications. Now, look at the list of herbicides that are being proposed in the notification. Often you will see that the operator is proposing the same or some of the RU herbicides that were included in the notification in comment letter 76, i.e., RU herbicides that are not to be applied in water. It seems that written, narrative plans are required where there is a F or D stream in the area to be treated. The applicator specifically defines the protective buffers to be followed. Of course these are only for Fish and Drinking waters streams. The magnitude of this potential problem (I say potential because we do not know if buffers were applied for N streams and we do not know for sure which herbicide was used) could be tremendous. As I said in the beginning, this data set is for Lane county only. If this is common practice for the rest of the coastal counties, there are hundreds of records indicating type N streams are not likely protect when RU herbicides are being applied.

## Ex. 5 - Deliberative

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All of this speaks nothing to what specific buffers should be applied nor does this speak to the "drift" problem. What this really seems to show is a foundational problem in ODF policies for running its notification program and

Ex. 5 - Deliberative

-----Original Message-----

From: Henning, Alan  
Sent: Saturday, August 23, 2014 1:41 PM  
To: Leinenbach, Peter  
Subject: FW: Index of /notices/ODF/Paper

Peter,

The site below gets you to many notification documents that were submitted to ODF in the triangle lake area in the years 2006-2014. If you go to 2009 and look specifically at files 2009-781-29044 from Seneca Jones you will find maps of several sites where the applicator plans to spray herbicides which may include Atrazine and other restricted use herbicides. This site includes f streams and N streams with a clear articulation that buffers will be provided for f streams. I haven't had the time to go thru all of the notifications. Let me know if you can't get access thru this link.

Alan

-----Original Message-----

From: [mailto:gary@ghdigital.com]  
Sent: Monday, August 18, 2014 3:33 PM  
To: Henning, Alan  
Subject: Index of /notices/ODF/Paper

<http://www.gaiavisions.org/notices/ODF/Paper/>

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